

Senate Bill 250
March 14, 2013
Presented by Mike Volesky
House Agriculture Committee

Mr. Chairman and members of the committee, my name is Mike Volesky, with Montana Fish, Wildlife and Parks. I am here on behalf of the director in opposition to SB 250.

Senator Barrett, the members of this committee, and FWP all share the common goal of ensuring the department has adequate authority, funding, and staffing necessary to manage the land it owns. We also share the goal of eliminating the sunset on the good neighbor program so it can continue into the future. But certain elements of SB 250 appear to be counterproductive to effective management of FWP lands.

The department does not support the provision in section 3 that requires deposits into the good neighbor maintenance account to be used only for the maintenance of that specific property acquired. We believe that maintenance priorities should be based upon real needs on the ground, rather than on the origin of the funding. In other words, maintenance expenditures should be prioritized by the seriousness of the weed problem, or on timber management, or the condition of the roads, fences, and culverts, or the necessary response to a fire or flood, rather than on a percentage of the purchase price of the property. This provision simply doesn't allow us to address the highest priority maintenance issues.

Additionally, the new language on page 4, lines 15-17, requires the department to spend money from the sale of land or water interests on maintenance as a first option, rather than using the money to acquire additional land. The department interprets this provision as providing us with the flexibility to comply with federal regulations and grant requirements. Those federal safeguards compel the department to acquire replacement property when we dispose of land that was originally acquired with federal funding. In other words, since the feds require us to use land-sale income to buy similar replacement lands, we would be prohibited from placing that money into a maintenance account. We simply want to make sure the committee understands this situation and our interpretation of this provision.

Mr. Chairman and members of the committee, SB 250 at its base has a positive intent—to continue the program to fund the Good Neighbor account—but it does still contain these two problem areas: the prioritization of land maintenance according to need; and our ability to comply with federal requirements for sale of lands that were originally purchased with federal funds. The department respectfully requests a 'no vote' on SB 250, or asks that you amend it to limit its scope to removing the sunset. Thank you for the opportunity to testify today.